

Banking

50 of 1906
S. No 1-3

Q 60-97

Previous references.

B 43-04

1906-7

(Banking)

File No. 50

Serial Nos. 1 to 3

Later references.

Q May 08 1812 - Banks, 56 9-08

" Nov 11 " " " 9-08

" Feb 10 " 1-4 " 56-08

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

Part B. for

January

SUBJECT

Investing the Inspector of Agricultural Banks with the powers of a Dy. Commr for the purpose of recovering loans advanced to Agricultural Banks.

From the Revenue Commr in Mysore no 5938 of 8-12-06

Recommends for sanction the proposal suggested by the Inspector of Agricultural Banks for the realisation of the sums due before stating that the Inspector has for this purpose to be invested with the powers of a Dy. Commr so far as the realisation of the due is concerned

2

To the Revenue Commr, ^{Mysore} no 71-5532-40 of 19-10-07

Approves of the Rev Commr's proposal

G. R. S. 58

3

To the Compiler, Mysore Gazette, ^{Mysore} no 71-5541-5542-50 of 19-10-07

Notifies that the Inspector of Agrl Banks is invested with the powers of a Dy. Commr under ch XI of R.O. Code, so far as regard the recovery of moneys due from the Agricultural Banks.

GENERAL AND REVENUE SECRETARIAT.

(Banking)

NOTES.

File No. 50706

FILE HEADING.

Agricultural Bank at Satnur in the Madaya Taluk.

From

The Revenue Commissioner in Mysore

No. 5938 Dated 8-12-06 Received 10-12-06

Diary No. 2332 }

Enclos. 2 Spare Copies. }

Serial No. /

BRIEF ABSTRACT OF LETTER.

Forwards in original letter No. 144 of 3-12-06 from the Inspector of Agricultural Banks reporting on the Satnur Agricultural Bank and suggesting certain procedure for the realization from Agricultural Banks of dues of Govt. and states that the procedure suggested is in his opinion the most effective way of collecting the outstanding due to Govt. and that for this a notification will have to be issued investing Mr. Shama Rao with powers of a Dy. Commr. So far as the realization of dues from Agricultural Banks is concerned

NOTES AND ORDERS.

The bank was ordered to be wound up in G.O. No. FL 454-5 of 22-7-04 and FL 2731-2/B.43-04-2 of 2-11-04 and subsequently the members of the bank were on the recommendation of the Dy. Commr. of the Mysore District ~~were~~ granted concession by in G.O. No. FL. 6167-8/B.43-04-8 of the 20th March 1906 to pay

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No.

one-fourth of the loan at once and the balance
in three annual instalments. All the files
relating to this bank have been sent to Mr.
Sharma has in compliance with his D.O.
requisition of. 7-11-06

Subd.

BK
14/12/06

my 15/12

Please ask Mr. Shamaldas
to return the files + in
the meantime the proposals
made in the letter under disposal
may be referred to the Revenue
Branch for favour of opinion.

Draft D.O. put up

BK
19/12
my

Issue
19/12/06
18/12/06

To Branch I
my 20/12
dibd.

The proposal to invest
Dep't Mr. Sharma has with the
favour of a Dy Commr in
certain specified matters for
certain specified purposes
applies to all Agricultural
Banks in the State. As
it might often tend to
great delay if the measures
to be adopted for recovering

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No.

the instalments due to Govt
have to be undertaken after
reference to the Dy Commr of
the District in which the
Bank is situated. As far
to be done under the existing
law the course suggested will
be exceedingly conducive to the
interests of Govt and is warranted
by S. 157 of the A. R. Code

Sd/- Branch Chief

21/12/06

Dy/12

Submitted. Mr. Shama Rao has not yet returned the files

Bk
24/12/06
WV

It is unnecessary to wait
for the receipt of the Satara
Bank files for the disposal
of the general proposal. Please
put up an order investing
the Registrar of Co-operative
Societies & Inspector of
Agricultural Banks with
the powers of a Dy Commr
under Section 81 as recommended
by the Rev Commr.

Submitted with two drafts and the
files re Satara Agricultural Banks since
returned by Mr. Shama Rao
Bk 24/12/06. WV 24/12

mle
22/12/06

Serial
No.

To Rai for favour of stating if the
draft multiplication is in proper form-

undl
30-12-6

submitted

M. P.
31/12/06.

The draft note won't do, I think.
What the Rev. Comⁿ thinks, is that
Mr. Shama Rao should be treated
as an Asstt. Comⁿ & under sec 18.
~~the powers of Dept^y~~ he should also
be appointed a Dept^y Comⁿ for the
purposes of Chapter XI.

Prove As far as the Land Rev.
Code is concerned, an Asstt Comⁿ
is an officer appointed to some
particular district. A Deputy Comⁿ
is also appointed to a particular
district, and the Code does not
provide for ~~an~~ a person being
appointed Dept^y Comⁿ for several
districts, and to have powers ^{only} under
a particular chapter of the Code and
in a particular class of cases. The Rev.
Comⁿ's proposal does not seem to be
feasible.

2. It does not appear that the ~~company~~ Bank

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but it cannot be understood how govt.
is prevented from recovering its dues as
provided by law, irrespective of the question
of the bank being wound up or not.

Submitted to the Secretary for orders.

187
4.12.07.

Mr. Srinivasaiah's view is correct.
The winding-up or otherwise of the
Bank has nothing to do with regard
to the right of govt. to recover its
dues. ~~It is~~ Such winding-up
is not a condition precedent
to its enforcing its right. The only
consideration is whether the loan
advanced has matured & become
due. When this event happens,
Regn II of 1903 can be enforced,
& the loan recovered from the members of the Bank
as an area of land revenue.
This point need not be further
discussed.

The other relates to the possibility
of investing the Depository of
Banks with the power of depositing
for certain limited purposes as recommended

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No.

in the Rev Comm letter -
I see no difficulty whatever
in doing this. The Land Revenue
Code contains the necessary
enabling powers as follows:-

Under Section 7 & 18 the same officer
may be appointed an Asst
Commr. in as many local
areas as may be deemed fit,
& they need not be in the same
district. From the second part
of section 7 it immediately
follows that the Officer so appointed
must necessarily be subordinate
to the Deputy Comr of the District.

Under subsection (3) of section 8
the Govt may pass any special
order with regard to the powers &
duties to be assigned to the Officer
in question, and section 18 shows
that ~~the~~ a special class of powers
& duties may be assigned for a
specific purpose -

There being thus no legal
difficulty whatever in giving
effect to the Revenue Commr's
proposal, I may say that it

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I have put up drafts of orders
and a note pending for the
necessary investment of new orders.

The matter, I am informed,
is urgent, as the harvest season
is approaching, and recovery
will be practically impossible
after it is past -

To Dewan

13/10/07

The Dewan approves of the drafts -

Done 17/10/07

16/10/07

17/10/07

To Mr. M. K. Srinivasan for perusal
of trans action of the committee
my 18/11

21/11/07

2

To the Rev. Com^r & the Dy Com^r of Dist.

No. 48-5532-40 of 19-10-07.

Approves of the proposals of the Revenue Com^r.

3

To the Rev Com^r, the Dy Com^r of Dist. &

the Compiler, Impres Gazette. No. 48-5542-50 of 19-10-07

Resolves that the Inspector of Agr^e Banks is invested
with the power of Dy Com^r under Ch XI of L.R. Code, so far
as regards the recovery of money due by Agr^e Banks

D 2603

OFFICE OF THE REGISTRAR OF
CO-OPERATIVE SOCIETIES IN MYSORE,

Bangalore 22nd December 1906

D. O

My dear Mr. Krishna Rao

return herewith the file
relating to the Agricultural Bank at
Bachur in the Mandya Taluk as per your
kind D O of the 20th instant.

Yours sincerely,

He. Hanuman Rao

Depd 20/12
My Dear Sir

I shall feel much ob-
-liged by your kindly returning
the files relating to the Agricultural
Bank at Satna in the Mandya
Taluk which were sent to you
on 7th November last in compliance
with your D.O. requisition of that
date

Yours sincerely

nm
19/12/12

To

Mr. Shama Das Esq. M.A.
Inspector Agricultural
Banks

my ✓

Cor. D. 20/12

No. 5738

(1)

OFFICE OF THE REV. COMR. IN MYSORE,

Bangalore.....1906.

FROM

A. RANGASWAMI IYENGAR ESQ., B. A., B. L.

Revenue Commissioner in Mysore.

TO

*The Secretary to the Government of His Highness
the Maharaja of Mysore,
General & Revenue Departments.*

SIR,

I have the honor to submit herewith in original letter No. 144 dated 3rd December 1906 from the Inspector of Agricultural Banks reporting on the Satnur Agricultural Bank in the Mandya Taluk. Mr. Shama Rao's proposals which were in fact suggested by me, are (1) that the circumstances of each individual debtor should be enquired into (2) that such amounts as the debtors can afford to pay should be collected (3) that the most recalcitrant members should be proceeded against in the first instance and their property moveable or immoveable proceeded against without delay and in special cases justifying the steps action be taken, to arrest and imprison them under section 163 of the Land Revenue Code.

2. The procedure suggested above is in my opinion the most effective way of collecting the outstandings due to Government and the Registrar of Co-operative Societies should be enabled to take action as proposed above. For this a notification will have to be issued by Government investing Mr. Shama Rao with the powers of a Deputy Commissioner. This I think can be done under section 18 of the Land Revenue Code if he be treated as an Assistant Commissioner in addition to his office as Registrar of Co-operative Societies and Forest Settlement officer and invested with the powers of a Deputy Commissioner under ~~Chapter XI~~ ~~sections 154 to 195~~ of the Land Revenue Code so far as the realization from Agricultural Banks of dues of Government is concerned.

From

A. RANGASWAMI IYENGAR Esq. B. A., B. L.
Revenue Commissioner
in Mysore.

To

The Secretary to the Government of
H. H. the Maharaja of Mysore,
General & Revenue Departments.

*Dated 8**Despatched 8**Received**No.**5938**Dec. 7/1901**Enclosure No. 2*

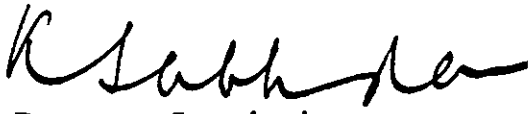
Forwarded the report
of the Inspector of Agricultural
Bank on the
Sathuram Agr Bank at
Madur.

3. I may add that Mr. Shama rao will work in substordina-
tion to the Deputy Commissioners of Districts in accordance wi
instructions to be issued by me.

I have the honor to be,

Sir,

Your most obedient servant,


For Revenue Commissioner.
BSR

A.N.

OFFICE OF THE REGISTRAR, OF CO-OPERATIVE
SOCIETIES IN MYSORE.

No. 14

Bangalore, 3rd. December 1906

From

M. SHAMA RAO, Esq., M. A.,
Registrar, Co-operative Societies in Mysore.
& Inspector of Agricultural Banks

To

A. Rangaswamiyengar, Esq., B.A., B.L.
Revenue Commissioner in Mysore.

SIR,

I have the honor to report that I inspected the Registers and papers of the Satnur Agricultural Bank in the Mandya Taluk when I camped at Mandya from the 12th to the 15th November last. This Bank was directed to be wound up in Government order No. Fl 454-5-RF60-97, dated 22nd July 1904 and the papers and books were accordingly taken charge of by the Amildar and removed to the Taluk Cutcherry. From the beginning of last month, a special Gumasta has been preparing a list of the members who are in debt to the Bank and of the sums they owe, and at the time of my visit this list was still in a very incomplete state.

2. The total amount lent by Government is Rs.15,000. The total amount paid by the Bank for the liquidation of the debt due to Government including interest is only Rs.3987-9-5 of which Rs.3428-11-1 was paid after coercive measures were set on foot for the recovery of the debt. The total number of

debtors to the Bank is 53 and they owe Rs.12,204, not calculating interest. Thirty of these members have taken hand-loans also amounting to Rs.1131, but all these loans are time-barred now as far as the Bank is concerned. A sum of nearly Rs.2,000 is also due from several of the members as arrears of revenue assessment on the lands mortgaged to the Bank for the sums they have borrowed from it.

3. Of the 53 members, 35 have paid a portion of their debts after the adoption of coercive measures, but the rest have continued indifferent and have till now made no attempt to satisfy the Government demands. I met some of these members and talked to them regarding their unreasonable attitude and the folly they were committing in not paying even a portion of their debts. I enclose a list of the most recalcitrant members and I propose that in their case, steps should at once ^{be} adopted to attach their crop which is now on the land and to proceed also against their movable property in the first instance. In the case of the other members several of whom also I met, I propose that no coercive measures need be actually adopted till the end of January next. They have promised to pay in full before that date the interest due on the Government loan till the end of the current year and also not less than Rs.2,000 for the principal. The total of these two amounts will, I believe come

to a little more than Rs.6,000 and although they are defaulters it would be a great hardship to press them to pay more till January 1908,till they shall have reaped a second harvest.

4. I beg however to state that in all these cases,it is necessary to enquire into the circumstances of each individual debtor and collect in full such amounts as he can afford to pay without much hardship either to himself or to his family. Many of them are quite able to pay and if they have not paid till now,it is on account of the cheapness of the loan they have secured from Government,or because they have successfully availed themselves of many loop-holes of escape. Where coercive measures become necessary,they have to be adopted promptly and the officer entrusted with the execution of these measures should have discretion to proceed against movable property also.

I consider it highly desirable that in the present case,as well as in cases of a similar nature,opportunities to evade payment by taking advantage of irregularities of procedure or other subterfuges should be minimised and that prompt measures should be adopted at the present harvest season to recover the Government dues or grant time where absolutely needed. An officer with the powers of a Deputy Commissioner as far as they

relate

relate to the recovery of revenue or other demands will,

I think, be specially necessary for a year or two.

I have the honor to be,

Sir

Your most obedient servant,

M. Shanmugaswami

Registrar & Inspector of
Ag. Agricultural Banks.

List of recalcitrant members of
the Satna Agricultural Bank.

No.	Names of persons.	Residences.
1.	Kalaborga gowda	Umma chahalli
2.	Bhikhalji Lingi. (Borra, husband)	Bhambapur
3.	Bommegowdan Channa	-- do --
4.	Bestan Kuller	-- do --
5.	Patel Lingegowda, (dead: his wife Betti)	-- do --
6.	Bhikka Kande Gowda	-- do --
7.	Madachalli Chander	-- do --
8.	Kunti Kumbhar	Honaganahalli
9.	Kalyani	-- do --
10.	Purusana Sida	Bhambapur
11.	Dasegowda	Echegere.

Bangalore
3rd December
1956

H. Shama Rao,
Registrar, Co-operative Societies
in S. S. C.

(2)

Read
Letter no. 5938 of the 8th Dec '26
from the Gov. Com^r in
Mysore
[Entered]

Order thereon No 865532-40
B 50-06-2
2 19-1-07
The Gov. Com^r's proposals
are approved
2 A notice as hereunder
will be published in the Mysore
Gazette. -

Notification. No 5541

"In exercise of the powers conferred by the Mysore Land Revenue Code, 1888, the Government of H.H. the Maharaja are pleased to direct as follows:-

"For the purpose of enabling the the Inspector of Agricultural Banks to take all proper steps for the recovery of moneys due to Government by Agricultural Banks or the members thereof jointly or severally, the said Inspector shall in virtue of his office be an Assistant Commissioner for each of the Districts in the State, and as such shall in subordination to the Deputy Commissioner to the Deputy Commissioner

of each District exercise all the powers and duties of a
Deputy Commissioner under Chapter XI of the Land
Revenue Code so far as regards the recovery of
moneys due ~~to~~ as aforesaid."

PRINT.

13-1-07
Secretary to Government.

*led. m.
18/1/07*

To

The Revenue Commissioner in Mysore.

The Deputy Commissioners of Districts.

No 265542 } 19-1-07
B 50-06-3

Notification.

In exercise of the powers conferred by the Mysore Land Revenue Code, 1888 the Government of His Highness the Maharaja are pleased to direct as follows

For the purpose of enabling the Inspector of Agricultural Banks to take all proper steps for the recovery of moneys due to Government by Agricultural Banks or the members thereof jointly or severally, the said Inspector shall in virtue of his office be an Assistant Commissioner for each of the Districts in the State, and as such shall in subordination to the Deputy Commissioner or each District exercise all the powers and duties of a Deputy Commissioner under Chapter XI of the Land Revenue Code so far as regards the

recovery of moneys due as aforesaid.

By order
16/1/07
Secy to Govt

5542-50
355342 } 19-1-07

he Comptroller, Mysore
in the D. G. Camp 4 86-2